

REMARKS

Claims 22-24 stand rejected under 35 USC 112, second paragraph, as being indefinite. In particular, the Examiner states that the phrase “an aliphatic polyester multifilament crimped yarn” does not clearly describe the claimed yarn.

Applicants have amended claim 22 to recite a multifilament crimped yarn obtained by “drawing a non-drawn yarn comprising a polylactic acid via two-step drawing process, in which the yarn is drawn to 1.01-3 times in the first step and to 1.01-3 times in the second step, with a drawing scale of 1.02-9 times in total, and crimping a multifilament fiber comprising said drawn yarn with a crimp-providing apparatus that utilizes heated air.” Support for this amendment can be found in paragraphs [0088] and [0089] of the specification. In addition, claim 22 recites a multifilament crimped yarn having a crimp elongation rate of 3-35% and a boiling water shrinkage of not higher than 10%. Since claim 22 now clearly recites the structure of the claimed multifilament crimped yarn as well as various other physical characteristics, the claimed invention is not indefinite to a person skilled in the art. Accordingly, applicants respectfully request the Examiner to withdraw this rejection.

Claims 22-24 stand rejected under 35 USC 102(b) as being anticipated by or, in the alternative, under 35 USC 103(a) as obvious over Matsunaga. In addition, claims 22-24 stand rejected under 35 USC 102(e) as being anticipated by Matsunaga.

As stated above, claim 22 now recites a carpet comprising a carpet pile comprising a multifilament crimped yarn, wherein the crimped yarn is obtained by drawing a non-drawn yarn via a two-step drawing process and crimping the drawn yarn with a crimp-providing apparatus that utilizes heated air. As explained in paragraph [0015], the claimed carpet does not generate a lot of loose fibers because the two-step drawn yarns crimp well during the crimping process. Matsunaga fails to disclose or suggest two-step drawn yarns that exhibit the high level of crimping that is necessary to produce a carpet that does not generate a lot of loose fibers as claimed. Matsunaga's


drawn yarns are produced by a one-step drawing process (Matsunaga, paragraph [0094]). As explained in paragraph [0089] of this application, the one-step drawn yarns of Matsunaga do not crimp well at low temperatures. Instead of using highly crimped yarns, Matsunaga discloses heat sealing the back of its carpet pile to fix the tufted yarns into place (Matsunaga, paragraph [0023]). Thus, the carpet disclosed in Matsunaga is very different from the carpet now claimed. Since Matsunaga fails to disclose or suggest how to make the claimed carpet that uses two-step drawn yarns with excellent crimping to reduce the generation of loose fibers, the above rejections should be withdrawn.

In view of the above, each of the claims in this application is in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **Docket No. 360842009710**.

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Respectfully submitted,

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